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Date of Deposit: February 2, 2001

Attorney Docket No. 15966-585A (CURA-85A)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Prayaga *et al.*
ASSIGNEE: CuraGen Corporation
SERIAL NUMBER: 09/687,276 EXAMINER: Not Assigned
FILING DATE: October 13, 2000 ART UNIT: 1641
FOR: NOVEL THYMOSIN BETA 10-LIKE PROTEINS AND NUCLEIC ACIDS ENCODING
SAME

TECH CENTER 1600/2300

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February 2, 2001
Boston, Massachusetts

Assistant Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL LETTER

Transmitted herewith for filing in the present application are the following documents:

- ☒ Information Disclosure Statement (4 pages);
- ☒ Modified Form 1449/PTO duplicate copy (2 pages);
- ☒ Copies of Cited references: C1-C18; and
- ☒ Return Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at 617/542-6000, Boston, Massachusetts.

No fee is believed to be due. However, if any fees are to be assessed, the Commissioner is hereby authorized to charge the balance due to the undersigned's account, Deposit Account No. 50-0311 (Reference 15966-585A, CURA-85A). A duplicate copy of this transmittal letter is enclosed.

Respectfully submitted,

Ivor R. Elrifi, Reg. No. 39,529
Naomi Biswas, Reg. No. 38,384
Shelby J. Walker, Reg. No. 45,192.
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INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed below and on the attached modified Form PTO-1449 (submitted in duplicate) in the above-identified application, copies of which are submitted herewith. The order of presentation of the references should not be construed as an indication of the importance of the references.

U.S. Patent Documents:

Foreign Patent Documents:

Other Prior Art – Non Patent Literature Documents:

Abdollahi, A., K. A. Lord, et al. (1991). "Sequence and expression of a cDNA encoding MyD118: a novel myeloid differentiation primary response gene induced by multiple cytokines." Oncogene 6(1): 165-7.

Aumailley, M. and B. Gayraud (1998). "Structure and biological activity of the extracellular matrix." J Mol Med 76(3-4): 253-65.

Bodey, B., B. Bodey, Jr., et al. (2000). "Review of thymic hormones in cancer diagnosis and treatment." Int J Immunopharmacol 22(4): 261-73.

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Bruckner-Tuderman, L. and P. Bruckner (1998). "Genetic diseases of the extracellular matrix: more than just connective tissue disorders." J Mol Med 76(3-4): 226-37.

Chan, et al., 1991 "eek and erk, new members of the eph subclass of receptor protein-tyrosine kinases." Oncogene 6(6): 1057-1061. GenBank Accession Number: **X59292**

Chan, et al., 1991 "eek and erk, new members of the eph subclass of receptor protein-tyrosine kinases." Oncogene 6(6): 1057-1061. GenBank Accession Number: **NP_065387**

Chan, J. and V. M. Watt (1991). "eek and erk, new members of the eph subclass of receptor protein-tyrosine kinases." Oncogene 6(6): 1057-61.

Choi, S., J. Jeong, et al. (1999). "Characterization of ephrin-A1 and ephrin-A4 as ligands for the EphA8 receptor protein tyrosine kinase." Mol Cells 9(4): 440-5.

Frisen, J., J. Holmberg, et al. (1999). "Ephrins and their Eph receptors: multitasking directors of embryonic development." Embo J 18(19): 5159-65.

Hall, A. K. (1995). "Thymosin beta-10 accelerates apoptosis." Cell Mol Biol Res 41(3): 167-80.

Lacy, S. E., C. G. Bonnemant, et al. (1999). "Identification of FLRT1, FLRT2, and FLRT3: a novel family of transmembrane leucine-rich repeat proteins." Genomics 62(3): 417-26.

Lin, S. C. and M. Morrison-Bogorad (1991). "Cloning and characterization of a testis-specific thymosin beta 10 cDNA. Expression in post-meiotic male germ cells." J Biol Chem 266(34): 23347-53.

Muallem, S., K. Kwiatkowska, et al. (1995). "Actin filament disassembly is a sufficient final trigger for exocytosis in nonexcitable cells." J Cell Biol 128(4): 589-98.

Park, et al., 1997 "The Eek receptor, a member of the Eph family of tyrosine protein kinases, can be activated by three different Eph family ligands." Oncogene 14 (5): 533-542. Genbank Accession Number: **O09127**

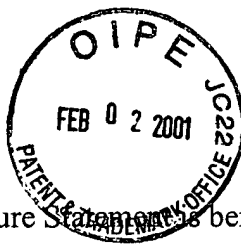
Santelli, G., D. Califano, et al. (1999). "Thymosin beta-10 gene overexpression is a general event in human carcinogenesis." Am J Pathol 155(3): 799-804.

Sztrolovics, R., R. J. White, et al. (1999). "Resistance of small leucine-rich repeat proteoglycans to proteolytic degradation during interleukin-1-stimulated cartilage catabolism." Biochem J 339(Pt 3): 571-7.

Sztrolovics, R., X. N. Chen, et al. (1994). "Localization of the human fibromodulin gene (FMOD) to chromosome 1q32 and completion of the cDNA sequence." Genomics 23(3): 715-7.

Wang, H. U., Z. F. Chen, et al. (1998). "Molecular distinction and angiogenic interaction between embryonic arteries and veins revealed by ephrin-B2 and its receptor Eph-B4 [see comments]." Cell 93(5): 741-53.

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This Information Disclosure Statement is being filed:

- ☐ within three months of the filing date of the National Application;
- ☐ within three months of the filing date of the entry of the National Stage, as set forth in 37 C.F.R. §1.491, in an International Application; or
- ☒ before the mailing date of a first Office Action on the merits in the above-identified case.

Accordingly, no fee or certification is required. 37 C.F.R. §1.97.

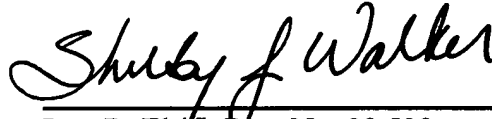
A copy of each of the above-identified information is enclosed unless otherwise indicated on the attached Form PTO-1449 (modified). It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and signs the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

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Notwithstanding any statements by the Applicant, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested. Please charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 15966-585A (CURA-85A).

Respectfully submitted,

A handwritten signature in cursive script, reading "Shelby J. Walker", written in black ink. The signature is positioned above a horizontal line.

Ivor R. Elrifi, Reg. No. 39,529
Naomi Biswas, Reg. No. 38,384
Shelby J. Walker, Reg. No. 45,192.
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